

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Yves Patrick Lajouanie

Application No.: 09/862,871

U.S. Filing Date: May 22, 2001

Title: PERFORMANCE MANAGEMENT SYSTEM AND METHOD

Group Art Unit: 3623

Confirmation No.: 1076

Examiner: Jonathan G. Sterrett

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

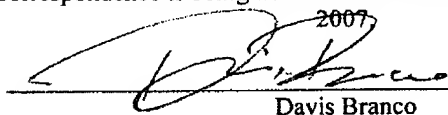
In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and in conformance with the procedures of 37 C.F.R. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for the Applicants hereby bring the following references to the attention of the Examiner. The references are listed on the attached PTO Forms PTO/SB/08A and PTO/SB/08B. Please also find attached copies of the references cited on the Form PTO/SB/08B.

It is respectfully requested that the information be expressly considered, and that the references be made of record and appear among the "References Cited" on any patent to issue from the above-identified application.

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**CERTIFICATE OF SUBMISSION**

I hereby certify that this correspondence is being transmitted electronically via EFS – Web at the USPTO on June 7,

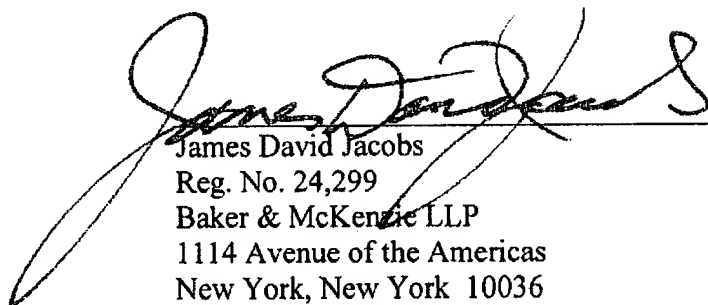
  
Davis Branco

This information disclosure statement is being filed under 37 C.F.R. § 1.97(c)(2).

The Commissioner for Patents is hereby authorized to charge Deposit Account No. 02-0393 of Baker & McKenzie LLP for the fee set forth in 37 C.F.R. § 1.17(p).

Dated: June 7, 2007

Respectfully submitted,



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Sheet

1

of 4

**Complete if Known**

Application Number	09/862,871
Filing Date	May 22, 2001
First Named Inventor	Yves Patrick Lajouanie
Art Unit	3623
Examiner Name	Jonathan G. Sterrett
Attorney Docket Number	56828264-4

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
JG		us-6,898,783	05-24-2005	Gupta et al.	
		us-2004/0068431	04-08-2004	Smith et al.	
		us-2005/0010456	01-13-2005	Chang et al.	
		us-2004/0139451	07-15-2004	Hope et al.	
		us-2004/0139450	07-15-2004	Hope et al.	
		us-2004/0139449	07-15-2004	Hope et al.	
		us-2004/0139448	07-15-2004	Hope et al.	
		us-2004/0139447	07-15-2004	Hope et al.	
		us-2004/0139446	07-15-2004	Hope et al.	
		us-2004/0139451	07-15-2004	Hope et al.	
		us-2006/0184410	08-17-2006	Ramamurthy et al.	
		us-2006/0190433	08-24-2006	Chkodrov et al.	
		us-7,107,339	09-12-2006	Wolters, Timothy J.	
		us-2006/0200444	09-07-2006	Bracho et al.	
		us-7,028,312	04-11-2006	Merrick et al.	
		us-2005/0166209	06-28-2005	Merrick et al.	
		us-2005/0171809	08-04-2005	Klein et al.	
		us-2005/0171810	08-04-2005	Klein et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	7 <sup>5</sup>
		Country Code <sup>3</sup> "Number" <sup>4</sup> "Kind Code" <sup>5</sup> (if known)				

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Sheet **2**of **4****Complete if Known**

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		Number-Kind Code <sup>2</sup> (if known)			
JG		us- 2005/0192894	09-01-2005	Klein et al.	
		us- 2005/0256732	11-17-2005	Bauer et al.	
		us- 2005/0256752	11-17-2005	Ramachandran et al.	
		us- 2005/0278270	12-15-2005	Carr et al.	
		us- 2006/0009991	12-12-2006	Jeng et al.	
		us- 2006/0047545	03-02-2006	Kumar et al.	
		us- 2006/0064438	03-23-2006	Aggarwal	
		us- 2006/0080117	04-13-2006	Carr et al.	
		us- 2006/0089939	04-27-2006	Broda et al.	
		us- 2006/0106626	05-18-2006	Jeng et al.	
		us- 2006/014034	06-29-2006	Rothermel et al.	
		us- 2006/0143057	06-29-2006	Sadiq, W.	
		us- 2006/0143611	06-29-2006	Sadiq, W.	
		us- 2004/0139452	07-15-2004	Hope et al.	
		us- 2004/0155903	08-12-2004	Schneeberg, Brian D.	
		us- 2004/0176968	09-09-2004	Syed et al.	
		us- 2004/0199517	10-07-2004	Casati et al.	
		us- 2005/0027574	02-03-2005	Agrawal et al.	

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205		us- 2005/0065807	03-24-2005	DeAngelis et al.	
		us- 2005/0065904	03-24-2005	DeAngelis et al.	
		us- 2005/0065941	03-24-2005	DeAngelis et al.	
		us- 2005/0071321	03-31-2005	Chen et al.	
		us- 2005/0091093	04-28-2005	Bhaskaran et al.	
		us- 2005/0114187	05-26-2005	Adachi et al.	
		us- 2005/0171807	08-04-2005	Klein et al.	
		us- 2004/0093381	05-13-2004	Hodges et al.	
		us- 2004/0068431	04-08-2004	Smith et al.	
		us- 2004/0054690	03-18-2004	Hillerbrand et al.	
		us- 2003/0193960	10-16-2003	Land et al.	
		us- 2003/0115334	06-19-2003	Bhat et al.	
		us- 2006/0212567	09-21-2006	Gulledge et al.	
		us- 2004/0138931	07-15-2004	Hope et al.	
		us- 2004/0139444	07-15-2004	Hope et al.	
-1		us- 2004/0139445	07-15-2004	Hope et al.	
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		First Named Inventor	Yves Patrick Lajouanie		
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		Examiner Name	TBA		
Sheet	4	of	4	Attorney Docket Number	56828264-4

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